IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:25-CV-91-BO-BM

THOMAS A. LINDERMAN,)	
Plaintiff,)	
v.)	ORDER
)	
STATE OF NORTH CAROLINA and NORTH CAROLINA STATE POLICE,)	
Defendants.)	

This cause comes before the Court on plaintiff's failure to respond to the Clerk of Court's Second Notice regarding Transfer of Case to the Eastern District of North Carolina. On May 21, 2025, the Court issued a second notice of case transfer to plaintiff's counsel, advising counsel again of his CM/ECF filing requirements under this district's Local Civil Rules. [DE 6]. Local Civil Rule 83.1(e) requires that attorneys not admitted to this Court's bar associate with local counsel, complete an Electronic Filing Attorney Registration Form, and file a Notice of Special Appearance via CM/ECF to practice in this Court.

It appears that plaintiff has also failed to make service on defendants within ninety days of the filing of his complaint. Rule 4 of the Federal Rules of Civil Procedure provides that proper service must be effected on a defendant within ninety days after the complaint is filed. Fed. R. Civ. P. 4(m). If proper service is not made within ninety days, the court must dismiss the action without prejudice after notice to the plaintiff or order that service be made within a specified time. *Id.* If the plaintiff has shown good cause, however, the court must extend the time for a reasonable period. *Id.* Good cause for failure to comply with Rule 4 generally is determined on a case-by-case

basis and is within this Court's discretion. Scott v. Maryland State Dep't of Labor, 673 F. App'x 299, 306 (4th Cir. 2016).

As counsel for plaintiff has failed to comply with this Court's Local Civil Rules and it appears that plaintiff has failed to make service on the defendants, plaintiff is ORDERED to SHOW CAUSE within fourteen (14) days of the date of entry of this order why his claims against defendants should not be dismissed.

SO ORDERED, this ______ day of June 2025.

TERRENCE W. BOYLE

UNITED STATES DISTRICT JUDGE